

LRR/JJT/dab  
07/13/00

SECTOR 8

PATENT APPLICATION  
Ticket No.: 2506.1009-001 (SMI-13459pA)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John G. Aceti, Marvin A. Leedom, Frederick Fritz, Derek D. Mahoney  
John M. Margicin, Walter P. Sjursen, Michael H. Tardugno and David A. Preves

Application No.: 09/524,666

Filed: March 13, 2000

For: DISPOSABLE MODULAR REHEARING AID

Group: 2743

Examiner: Not Assigned

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>7-13-00</u>	<u>Donna Bartolone</u>
Date	Signature
Donna Bartolone	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated May 15, 2000, the following documents and fees are being submitted for filing in the captioned application:

- ☒ **EXECUTED DECLARATION/POWER OF ATTORNEY** - A copy of the Notice is attached.  
(Separate transmittal letter and postcard not required)
- ☒ **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate.  
(Separate transmittal letter and postcard not required)
- ☒ **SURCHARGE** - surcharge fee of \$130.00.  
(Separate transmittal letter and postcard not required)
- ☐ **SEQUENCE LISTING** - Filed concurrently and is attached.  
(Separate transmittal letter and postcard required)



09/524,666

-2-

☐ **PETITION FOR EXTENSION OF TIME**

☐ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [ ] for [ ] month(s) from [ ] to [ ].  
The appropriate fee of \$[ ] is included in the enclosed check.

☐ A [ ] month extension of time to respond to the Notice to File Missing Parts dated [ ] was filed on [ ] with payment of a \$[ ] fee.

☐ Applicant hereby petitions for an additional [ ] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[ ] is included in the enclosed check.

*(Separate Petition for Extension of Time and postcard not required)*

☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached.

*(Separate transmittal letter and postcard required)*

☐ **VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on [ ].

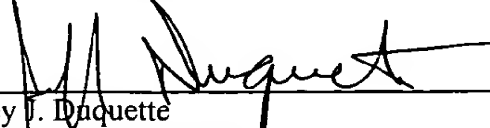
☐ Is enclosed herewith.  
*(Separate transmittal letter and postcard not required)*

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[ ] which were paid on [ ] to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$2656.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

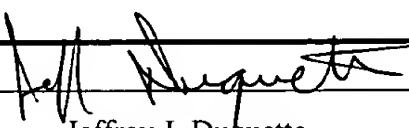
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By   
Jeffrey J. Duquette  
Registration No.: 45,587  
Tel.: (781) 861-6240  
Fax: (781) 861-9540

Lexington, Massachusetts 02421-4799

Date: July 13, 2000

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

<b>FEE TRANSMITTAL FOR PATENT APPLICATIONS</b>		Attorney Docket Number		2506.1009-001 (SMI-13459pA)	
		Application Number		09/524,666	
		First Named Inventor		John G. Aceti	
CLAIM CALCULATION (includes any preliminary amendment) <div style="position: absolute; top: 10px; right: 10px; border: 1px solid black; border-radius: 50%; padding: 5px; text-align: center;">           JUL 17 2000            PATENT &amp; TRADEMARK OFFICE         </div>					
CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	57 - 20* =	37	x \$ 18 =	\$ 666
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	18 - 3** =	15	x \$ 78 =	\$ 1170
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 260 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 690
				Total of above Calculations =	\$ 2526
				Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =	\$
				TOTAL =	\$ 2526
				Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =	\$ 130
				Petition for Extension of Time Fee (37 C.F.R. 1.17) =	\$
				Assignment Recordation Fee = (only when filed with application)	\$
				TOTAL =	\$ 2656
* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent					
1. Small entity status: <div style="margin-left: 40px;">           a. <input type="checkbox"/> A small entity statement is enclosed.            b. <input type="checkbox"/> A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.            c. <input type="checkbox"/> Is no longer claimed.         </div>					
2. <input checked="" type="checkbox"/> A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.					
3. <input checked="" type="checkbox"/> A check is enclosed for \$2656.00. <input type="checkbox"/> Please charge \$[    ] to Deposit Account No. 08-0380.					
4. <input type="checkbox"/> Other: _____					
Signature				Date	7/13/00
Submitted by Typed or Printed Name		Jeffrey J. Duquette		Reg. Number	45,487

## FORMALITIES LETTER



\*OC00000005116418\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/524,666	03/13/2000	John G. Aceti	SMI-13459pA

Leo R Reynolds Esq  
Hamilton Brook Smith & Reynolds PC  
Two Militia Drive  
Lexington, MA 02421-4799



Date Mailed: 05/15/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$1680.
  - \$666 for 37 total claims over 20.
  - \$1014 for 13 independent claims over 3.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2500.

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/19/2000 A80ITOM 00000025 09524666

01 FC:101	690.00 OP
02 FC:105	130.00 OP
03 FC:102	1170.00 OP
04 FC:103	666.00 OP